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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/620,438 07/17/2003		Ryo Horie	040894-5943	1093	
9629	7590 09/21/2005		EXAMINER		
MORGAN LEWIS & BOCKIUS LLP			WIMER, MICHAEL C		
	SYLVANIA AVENUE N' ON, DC 20004	W	ART UNIT	PAPER NUMBER	
	,		2828		

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/620,438	HORIE ET AL.	(gris)
Examiner	Art Unit	
Michael C. Wimer	2828	

	Michael C. Wimer	2828	
The MAILING DATE of this communication appear	ars on the cover sheet with the d	orrespondence add	ress
THE REPLY FILED 01 September 2005 FAILS TO PLACE THIS	S APPLICATION IN CONDITION F	OR ALLOWANCE.	
1. The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a Not a Request for Continued Examination (RCE) in compliance time periods:	the same day as filing a Notice of ing replies: (1) an amendment, aff ice of Appeal (with appeal fee) in o	Appeal. To avoid aba idavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)
 a) The period for reply expires 5 months from the mailing date b) The period for reply expires on: (1) the mailing date of this A 	dvisory Action, or (2) the date set forth		
no event, however, will the statutory period for reply expire la Examiner Note: If box 1 is checked, check either box (a) or (TWO MONTHS OF THE FINAL REJECTION. See MPEP 70	b). ONLY CHECK BOX (b) WHEN THE	•	
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of extunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL	on which the petition under 37 CFR 1.1 ension and the corresponding amount hortened statutory period for reply origithan three months after the mailing da	of the fee. The appropri inally set in the final Offi	iate extension fee ce action; or (2) as
 The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter a Notice of Appeal has been filed, any reply must be filed AMENDMENTS 	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of th	
3. M The proposed amendment(s) filed after a final rejection, t	out prior to the date of filing a brief.	will not be entered be	ecause
(a) ☑ They raise new issues that would require further cor			00000
(b) They raise the issue of new matter (see NOTE below	v);	,	
(c) ☐ They are not deemed to place the application in bett appeal; and/or	ter form for appeal by materially re	ducing or simplifying	the issues for
(d) ☐ They present additional claims without canceling a c	corresponding number of finally rej	ected claims.	
NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.1	* **		
4. 🔲 The amendments are not in compliance with 37 CFR 1.12		mpliant Amendment	(PTOL-324).
Applicant's reply has overcome the following rejection(s):			
 Newly proposed or amended claim(s) would be all non-allowable claim(s). 		•	
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is prov. The status of the claim(s) is (or will be) as follows:		ll be entered and an e	explanation of
Claim(s) allowed: <u>none</u> .		·	
Claim(s) objected to: <u>none</u> .	•		
Claim(s) rejected: <u>1-4</u> .			
Claim(s) withdrawn from consideration: <u>none</u> . AFFIDAVIT OR OTHER EVIDENCE	•		
 The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e). 			
 The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary 	vercome <u>all</u> rejections under appe	al and/or appellant fai	ls to provide a
10. ☐ The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER	•		•
11. The request for reconsideration has been considered but	does NOT place the application in	n condition for allowar	nce because:
12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper N	lo(s)	
13.		Mehrel	Moun
		Michael C. Wimer	/
•		Primary Examiner Art Unit: 2828	

Art Unit: 2

Continuation Sheet (PTO-303)

Continuation of 3. NOTE: The added term "contiguous" raises issues of indefiniteness because there are at least two definitions therefor, where the first is connecting without a break, uninterrupted, sharing an edge or boundary, in contact, touching; and the second is neighboring, adjacent, in close proximity without actually touching, near. Applicant's definition is only apparent from the remarks but not from the originally filed disclosure. The specification states that the feeding terminal is connected to the feeding electrode. The record points out that an RF coupling is defined as a connection. The specification never mentions the term "contiguous". This added term was neither considered nor addressed in the final Office action rejection. Additionally, although applicant intended to overcome the reference to Tsubaki (6100849) by excluding a capacitive connection as shown in Figures 2 and 3, Fig. 5 shows a D.C. connection of the feeding terminal 41 and feeding electrode 13. Such feeding connections, either direct or RF connection is an obvious consideration.